

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

RICHARD BOTCHWAY

Criminal No. 05-40035-FDS

NOTICE OF INITIAL STATUS CONFERENCE

August 19, 2005

SWARTWOOD, M.J.

1. Unless counsel inform the Court in a Joint Memorandum in accordance with LR 116.5(C) on or before **Thursday, September 22, 2005**, that there is no need for an initial status conference, such a conference will be held on **Tuesday, September 27, 2005, at 2:00 p.m.**, in Courtroom No. 1 on the Fifth Floor, Worcester, MA. If the Joint Memorandum is not filed with the Court on or before **Thursday, September 22, 2005**, then the parties must appear for the initial status conference either in person or by telephone.¹

2. If counsel feel that there is need for an initial status conference, then on or before the close of business on **Thursday, September 22, 2005**, counsel shall inform my Courtroom Clerk as to whether they want the status conference to be conducted in person or by telephone .

3. ORIGINALS OF ALL MOTIONS, MEMORANDUMS, PLEADINGS, ETC. MUST BE FILED WITH THE COURT (INCLUDING ELECTRONIC FILING). NEITHER FAXES NOR E-MAIL FILINGS WILL BE ACCEPTED.

Charles B. Swartwood, II

Charles B. Swartwood, III
CHIEF UNITED STATES MAGISTRATE JUDGE

¹ Defendants are not required to be present at the Initial Status Conference. Inasmuch as this court concludes that the Initial Status Conference is not a critical proceeding within the meaning of Rule 43, F.R. Crim. P., defendants in custody will **not** be transported to court for the Initial Status Conference absent a showing of exceptional cause on motion duly filed in advance of the Initial Status Conference, See 43(c)(3), F.R. Crim. P.